

***** PUBLIC DOCKET *****

HABEAS

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:20-cv-00940-TWP-MJD**

GIBSON v. SEVIER
Assigned to: Judge Tanya Walton Pratt
Referred to: Magistrate Judge Mark J. Dinsmore
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 03/24/2020
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question

Petitioner**LIONEL GIBSON**

represented by **LIONEL GIBSON**
104608
NEW CASTLE - CF
NEW CASTLE CORRECTIONAL
FACILITY - Inmate Mail/Parcels
1000 Van Nuys Road
NEW CASTLE, IN 47362
PRO SE


V.



Respondent**MARK SEVIER**

represented by **Abigail Recker**
INDIANA ATTORNEY GENERAL
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/24/2020	<u>1</u>	PETITION for Writ of Habeas Corpus, filed by LIONEL GIBSON. (Filing fee \$5, receipt number IP068886) (Attachments: # <u>1</u> Envelope)(AKH) (Entered: 03/25/2020)
03/25/2020	<u>2</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (AKH) (Entered: 03/25/2020)

04/03/2020	<u>3</u>	ORDER TO SHOW CAUSE (Discipline Case) - Lionel Gibson's petition for a writ of habeas corpus challenges his disciplinary conviction in disciplinary case number MCF 19-04-0595. The custodian of petitioner is directed to answer the allegations of the petition for a writ of habeas corpus and in doing so shall show cause why the relief sought by the petitioner should not be granted. Show Cause Response due by 5/15/2020. Copy to Petitioner via US Mail. Signed by Judge Tanya Walton Pratt on 4/3/2020.(NAD) (Entered: 04/03/2020)
05/06/2020	<u>4</u>	NOTICE of Appearance by Abigail Recker on behalf of Respondent MARK SEVIER. (Recker, Abigail) (Entered: 05/06/2020)
05/15/2020	<u>5</u>	Respondent's Notice of 42-day Extension of Deadline to File a Return to Order Show Cause, filed by MARK SEVIER. Return to Order to Show Cause deadline is 6/26/2020. (Recker, Abigail) (Entered: 05/15/2020)
06/12/2020	<u>6</u>	MOTION <i>for Clarification</i> , filed by Respondent MARK SEVIER. (Recker, Abigail) (Entered: 06/12/2020)
06/25/2020	<u>7</u>	ORDER granting Respondent's <u>6</u> Motion for Clarification and Directing Further Proceedings. 1) Mr. Gibson shall have through July 27, 2020, to file an amended petition. 2) Mr. Gibson's amended petition shall address MCF 19-04-0595 and the reasons why he is entitled to habeas relief from that disciplinary conviction. 3) The amended petition must be labeled "Amended Petition" and include the case number for this action, 1:20-cv-00940-TWP-MJD. 4) The respondent shall have 28 days from the date Mr. Gibson's amended petition is filed to file a response. 5) The clerk is directed to include a form petition with Mr. Gibson's copy of this Order. Copy of Entry and Form sent to Petitioner via U.S. Mail. Signed by Judge Tanya Walton Pratt on 6/25/2020. (MAC) (Entered: 06/25/2020)
06/29/2020	<u>8</u>	RESPONSE to <u>6</u> Motion for Clarification, filed by Petitioner LIONEL GIBSON. (Attachments: # <u>1</u> Envelope)(NAD) (Entered: 06/30/2020)
07/24/2020	<u>9</u>	MOTION for Extension of Time, filed by Petitioner LIONEL GIBSON. (Attachments: # <u>1</u> Envelope)(NAD) (Entered: 07/28/2020)
07/30/2020	<u>10</u>	ORDER - granting <u>9</u> Motion for Extension of Time. Lionel Gibson's motion for extension of time, dkt. <u>9</u> , is granted. Mr. Gibson shall have through August 3, 2020, to file his amended petition as previously directed. Copy to Petitioner via US Mail. Signed by Judge Tanya Walton Pratt on 7/30/2020. (NAD) (Entered: 07/31/2020)
08/03/2020	<u>11</u>	Submission of AMENDED PETITION FOR WRIT OF HABEAS CORPUS, filed by Petitioner LIONEL GIBSON. (Attachments: # <u>1</u> Envelope)(NAD) (Entered: 08/03/2020)
08/31/2020	<u>12</u>	RETURN TO ORDER TO SHOW CAUSE, re <u>3</u> Order to Show Cause (Disciplinary), filed by MARK SEVIER.. (Attachments: # <u>1</u> Exhibit A, Report of Conduct, # <u>2</u> Exhibit B, Screening Report, # <u>3</u> Exhibit B-1, Notice to Lay Advocate, # <u>4</u> Exhibit B-2, Postponements, # <u>5</u> Exhibit C, Report of Disciplinary Hearing, # <u>6</u> Exhibit C-1 Denial of Evidence, # <u>7</u> Exhibit C-2, Witness Statement, # <u>8</u> Exhibit D, Disciplinary Hearing Appeal, # <u>9</u> Exhibit E, Second-Level Appeal, # <u>10</u> Exhibit F, Appendix of Offenses, # <u>11</u> Exhibit G, Disciplinary Code for Adult Offenders, # <u>12</u> Exhibit H,

		Declaration of B. Myers, # 13 Exhibit I, Offender Tablet Policy, # 14 Exhibit J, Tablet User Agreement, # 15 Exhibit K, Gibson OIS Report)(Recker, Abigail) (Entered: 08/31/2020)
08/31/2020	14	MOTION to Maintain Document Under Seal 13 SEALED Document (Case Participants - doc) , filed by Respondent MARK SEVIER. (Attachments: # 1 Text of Proposed Order.)(Recker, Abigail) (Entered: 08/31/2020)
10/01/2020	15	MOTION for Extension of Time in which to Respond to Respondent's 12 Return to Order to Show Cause, filed by Petitioner LIONEL GIBSON. (Attachments: # 1 Envelope)(NAD) (Entered: 10/02/2020)
10/06/2020	16	ORDER - granting 15 Motion for Extension of Time. Lionel Gibson's motion for extension of time, dkt. 15 , is granted. Mr. Gibson shall have through November 6, 2020, to file his reply. Copy to Petitioner via US Mail. Signed by Judge Tanya Walton Pratt on 10/6/2020. (NAD) (Entered: 10/06/2020)
11/12/2020	17	MOTION for Extension of Time in which to File Response to 12 Return to Order to Show Cause, filed by Petitioner LIONEL GIBSON. (Attachments: # 1 Envelope) (NAD) (Entered: 11/16/2020)
11/18/2020	18	ENTRY - GRANTING 17 MOTION FOR EXTENSION OF TIME. Lionel Gibson's motion for extension of time, dkt. 17 , is granted. Mr. Gibson shall have through December 18, 2020, to file his reply. Copy to Petitioner via US Mail. Signed by Judge Tanya Walton Pratt on 11/18/2020. (NAD) (Entered: 11/18/2020)
12/21/2020	19	ORDER denying 14 Motion to Seal Document 13 SEALED Document. The Clerk is ordered to unseal document 13. Signed by Magistrate Judge Mark J. Dinsmore on 12/21/2020py Copy sent to Mr. Gibson via US Mail (CBU) (Entered: 12/21/2020)
12/21/2020	 20	MOTION for Extension of Time to File Reply to Return to Show Cause, filed by Petitioner LIONEL GIBSON. (Attachments: # 1 Envelope)(NAD) (Entered: 12/22/2020)
01/04/2021	21	OBJECTION to Order on Motion to Maintain Under Seal with Ex Parte Restrictions by MARK SEVIER. Related document: 19 Order on Motion to Seal/Maintain Under Seal Document. (Attachments: # 1 Exhibit A-Declaration of S. Joseph)(Recker, Abigail) (Entered: 01/04/2021)
01/12/2021	22	Reply (Traverse) re 12 Return to Order to Show Cause, filed by LIONEL GIBSON. (Attachments: # 1 Exhibit, # 2 Envelope)(NAD) (Entered: 01/12/2021)
01/19/2021	23	RESPONSE to Petitioner's Traverse, re 22 Reply to Return to Order to Show Cause, filed by Respondent MARK SEVIER. (Recker, Abigail) (Entered: 01/19/2021)
01/19/2021	24	NOTICE to the Court, filed by Petitioner LIONEL GIBSON (Attachments: # 1 Envelope) (CKM) (Entered: 01/21/2021)
01/25/2021	25	RESPONSE to Objection (23 Response) to Order at Dkt 19 , filed by Petitioner LIONEL GIBSON. (Attachments: # 1 A - Affidavit of Lionel Gibson, # 2 Exhibit B - Disposition of Offender Personal Property / Correspondence, # 3 Exhibit C - Report of Inter-Facility Transfer, # 4 Exhibit D - Report of Inter-Facility Transfer, # 5 Envelope) (NAD) (Entered: 01/27/2021)

01/29/2021	26	SURREPLY re 12 Return to Order to Show Cause, filed by Petitioner LIONEL GIBSON. (Attachments: # 1 Envelope)(NAD) (Entered: 02/01/2021)
04/29/2021	 27	MOTION for Court Assistance, filed by Petitioner LIONEL GIBSON. (Attachments: # 1 Exhibits, # 2 Envelope)(LBT) (Entered: 04/30/2021)
07/01/2021	 28	MOTION for Production of Documents, filed by Petitioner LIONEL GIBSON. (Attachments: # 1 Exhibits, # 2 Envelope)(AKH) (Entered: 07/06/2021)

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